

Monty P. Milbourne
PETITIONER

Richard Smith
RESPONDENT

Cv. NO. 20-00012 (NLH)

April 20, 2020

Honorable Judge Noel L. Hillman

United States District Court

Mitchell H. Cohen Building AND U.S. Courthouse RECEIVED

4th AND COOPER STREETS Room 1050

APR 28 2020

Camden, N.J. 08101

AT 8:20 ...M
WILLIAM T. WALSH CLERK

DEAR Judge Hillman:

Today I RECEIVED mail FROM the U.S. District Court showing that You've Gotten my CORRESPONDANCE AND that IT WAS FILED. THANK YOU. ALSO I'm Sending ALSO with this LETTER that I'm Sending You, A LETTER OF ME CORRESPONDING with the ATTORNEY GENERAL OF N.J. SHOWING I've MYSELF CONTACTED the ATTORNEY GENERAL ABOUT ME BEING INCARCERATED FALSELY AND ASKING FOR my RELEASE Rightfully By Law, AND FACTS OF CASE. Judge Hillman, Indictment NO. 18-12-D1117 DOES NOT EXIST. THIS IS CLEAR FACTS. THIS Indictment NO. 18-12-D1117 IS FRAUD AND FORGERY AND CLEARLY THATS the TRUTH. THE FACTS. HOWEVER, this is what Jrs Cumberland County Prosecutor, AND Judge is Holding me FALSELY IMPRISONED FOR. ALSO By the CJRA 2017 Bail Reform, Speedy Trial, I CANNOT BE HELD DETAINED By Law. I've BEEN DETAIN 898 DAYS! CLEARLY VIOLATING Due Process, AND my Constitutional Rights. Honorable Judge Hillman, I ASK the Court to PLEASE SEE the FACTS AND LAW to RELEASE me.

#46305

Respectfully, Monty P. Milbourne
Cumberland County Jail

c/c

STATE OF NEW JERSEY
V

SUPERIOR COURT OF NEW JERSEY
CUMBERLAND, CRIMINAL PART

MONTY P. MILBOURN
DEFENDANT

CASE NO. 17002534

INDICTMENT NO. 18-12-01117

OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE
P.O. 085, TRENTON, N.J. 08625-0085

DEAR ATTORNEY GENERAL:

I'M AN INMATE AT THE CUMBERLAND COUNTY JAIL WHO'S A DEFENDANT OF THE ABOVE CASE NO. AND INDICTMENT NO. I'VE BEEN DETAINED FOR THE ABOVE CASE NO. 17002534 SINCE NOVEMBER 4, 2017, WHICH WAS THIRD DEGREE ASSAULT - ELUDDING UNDER COMPLAINT - WARRANT 0609W 2017 000158, WHICH WENT TO THE GRAND JURY JANUARY 31, 2018, AS INDICTMENT ACCUSATION NO. 18-01-00099. THIS CASE NO. 17002534, INDICTMENT ACC. 18-01-00099, ON THIS SAID DATE OF JANUARY 31, 2018, WAS NOT FILED, NOT FOUND, DOCKET FILED, OR INDICTED BY THE CUMBERLAND COUNTY COURTHOUSE, WHICH THEREFORE WAS VOID, INVALID WITH NO FORCE BY LAW THAT THE CUMBERLAND COUNTY PROSECUTOR COULD HOLD OR DETAIN THE DEFENDANT IN JAIL, WITH NO "TRUE BILL". HOWEVER, DEFENDANT WAS HELD BY THE CUMBERLAND ASSISTANT PROSECUTOR BY HER DISCRETION, UNCONSTITUTIONALLY VIOLATING DEFENDANT'S DUE PROCESS RIGHTS TO FORCE DEFENDANT TO TAKE A PLEA WITHOUT BEING INDICTED OR CHARGE ACCUSATION FILED. ON MARCH 15, 2019, FOR THE FIRST TIME, I FOUND OUT THAT SUPPOSEDLY I HAD AN SUPERSEDED INDICTMENT TO CASE NO. 17002534 ON DECEMBER 19, 2018, WITH 3 NEW COUNTS THAT NEVER ANY CHARGING DOCUMENTS WERE FILED IN CONTEMPORARY TO DEFENDANT'S ARREST NOVEMBER 4,

2017, with this Case NO. 17002534, Resisting - Evading 0609 W 2017 000158, with a NEW Ind. Accusation NO. 18-12-01117. First, Case NO. 17002534 Under then Ind. Accusation NO. 18-~~12-01117~~⁰¹⁻⁰⁰⁰⁹⁹, on January 31, 2018, was NOT Filed, Docket Filed, or Foused in the Cumberland County Court on this said Date AND time or Electronically Posted to Public Interest as so, Rendering it void or Invalid. Second, the 18-12-01117 so called Superseding Indictment NEVER EXISTED, NEVER WAS, AND FRAUDULENT AND FORGED By Cumberland County Assistant Prosecutor For the State, Abigail Holmes. Neither Court NEVER was Under this Case NO. 17002534. Only charge ever existed under this Case NO. was Resisting - Evading, November 4, 2017, Complaint - Warrant NO. 0609 W 2017 000158 Third Degree which was Only Under Indictment Accusation NO. 18-01-00099, Only that was Filed ON January 31, 2018. Being Ind. Accusation NO. 18-12-01117 was Fraud, with FRAUDULENT AND FORGED Courts, AND NOT Under Case NO. 17002534, The Defendant has been Held FOR 891 Days Almost 2 1/2 Years By the Cumberland County Prosecutor Abigail Holmes AND the Cumberland County Court Under The Criminal Justice Reform Act, 2017, Speedy Trial Act, as "Eligible" Defendant Pursuant N.J.R 3:25-4, 3:25-3, AND Pursuant § 2A:162-22 (A) 2(B) without Being Released OF Charges OR Being Released as Bail Reform IN Accordance to Law AND Due Process. The Cumberland County Prosecutor, Abigail Holmes, who is the STATES Representative Responsible For Prosecuting Defendants Case should have Promptly Reported the Circumstances OF Defendants Case OR the Reason For Delay OF Defendants Case to the Director OF The Division OF Criminal Justice who Reports Circumstances to N.J. Attorney General About why Delays Has taken Place AND why. But Because the Cumberland County Prosecutor in Conspiracy with Trial Judge to Act out Criminal Intent Unlawfully Against Defendant, The Cumberland County Prosecutor Abigail Holmes, Could NOT, AND would NOT, Report to Director OF The Division OF Criminal Justice OR N.J. Attorney General Pursuant

N.J.S.A § 2A:162-22(B)(2)(A) "That the Failure to Commence Trial in Accordance with the time Requirements set forth in the Rail Reform Law was Due to Unreasonable Delay By Prosecutor" To Correspond to The Attorney General or The Director would show Fraud, Forgery, Malicious Prosecution, Tampering with Public Records which Held Defendant Past Deadlines of the CTRA 2017 Rail Reform, and the Statute of Limitations on a Void, Invalid Case NO.

The Defendant Monty P. Milbourne, who has an Writ of Habeas Corpus, U.S.C. 2241, Civ. No. 20-0012 (NLH), and who has also contacted in Correspondance with The American Civil Liberty Union, Ask By Law of the N.J. Constitution and Federal Law of the United States Constitution, Amendment 14 Due Process that the Cumberland County Prosecutors Office Release Defendant Rightfully Accordance to Law, and the Defendants Rights to Be Equally Protected as a Citizen of the United States By these Laws. I also have Health Issues need Adequate Medical Assistance.

Thank You, Respectfully, Monty P. Milbourne ^{#46305}
Cumberland County Jail

c/c: Governor Philip Murphy,
U.S. District Court

DATE: April 16, 2020

NOTE: ON FEBRUARY 3, 2020, PROSECUTOR ON RECORD IN COURT SAID A Motion of Dismissal of Indictment NO. 18-12-01117 would Be Dismissed MARCH 23, 2020, BUT I HAVEN'T BEEN RELEASED YET.



Monty P. Milbank
Camden County Jail
54 WEST BROAD ST.
BRIDGETON, NJ. 08302

CLERK, UNITED STATES DISTRICT COURT
P.O. BOX 2797
Camden, N.J. 08101

RECEIVED

APR 28 2020

AT 8:30 _____ M
WILLIAM T. WALSH
CLERK

